

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JILL HODGINS VERROS,

Plaintiff,

Case No. 07-13245

v.

Honorable John Corbett O'Meara

CHARTER TOWNSHIP OF ORION, JILL D.
Bastian, and ALICE P. YOUNG,

Defendants.

_____ /

ORDER OF PARTIAL REMAND

This matter was removed to this court August 3, 2007, after plaintiff Jill Hodgins Verros filed an amended complaint in a suit she had filed in Oakland County Circuit Court. The amended complaint alleged eleven (11) causes of action, only three of which allege violations of federal law: Count II, for violations of 42 U.S.C. § 1983; and Counts VI and VII, for violations of the Family Medical and Leave Act, 29 U.S.C. §§ 2601 *et. seq.*. Count III is a claim for relief under both state and federal law.

While the claims alleging violations of federal law are cognizable in this court pursuant to 28 U.S.C. § 1331, the remaining allegations in the complaint present claims based on state law. The parties to this matter are not diverse. Therefore, this court declines to exercise pendent jurisdiction over the state claims. See United Mine Workers v. Gibbs, 383 U.S. 715 (1966); 28 U.S.C. § 1367(c).

Accordingly, it is hereby **ORDERED** that Counts I, IV, V, VIII, IX, X, and XI are **REMANDED** to the Circuit Court for the County of Oakland.

It is further **ORDERED** that Count III, to the extent it alleges a state cause of action, is also **REMANDED** to the Circuit Court for the County of Oakland.

s/John Corbett O'Meara
United States District Judge

Dated: October 5, 2007

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, October 5, 2007, by electronic and/or ordinary mail.

s/William Barkholz
Case Manager